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12-402

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

See Amendment

In Re the Application of:

HAMPDEN-SMITH et al.

Serial No.: Not Yet Assigned

Filed: August 10, 2001

Confirmation No.:

Atty. File No.: 41890-01597

For: "FINE POWDERS FOR USE IN
PRIMARY AND SECONDARY
BATTERIES"

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Prior to the initial review of the above-identified patent application by the Examiner, please enter the following Preliminary Amendment. Although Applicants do not believe that any fees are due based upon the filing of this Preliminary Amendment, please charge any such fees to Deposit Account No. 50-1419.

Please amend the above-identified patent application as follows:

IN THE SPECIFICATION:

At page 1, before the background of the Invention, please insert:

"This application is a Divisional Application of U.S. Patent Application Serial No. 09/141,387, filed August 27, 1998, which is a continuation-in-part of U.S. Patent Application Serial No. 09/028,029 filed February 24, 1998, and U.S. Patent Application Serial No. 09/030,057 filed February 24, 1998."

) Group Art Unit: Not Yet Assigned

) Examiner: Not Yet Assigned

) FIRST PRELIMINARY
) AMENDMENT

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| <p>CERTIFICATE OF EXPRESS MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE EXPRESS MAIL ADDRESSED TO ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231 ON <u>August 10, 2001</u>.</p> <p>MARSH FISCHMANN & BREYFOGLE LLP</p> <p>BY: <u>Linda King</u></p> |
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IN THE CLAIMS:

Please cancel Claims ~~1~~-25 without prejudice to or disclaimer of the subject matter contained therein, and amend Claims

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

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Date: August 10, 2001

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